

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Petroleum Co. Lower River Road Reconstruction & Graveling
Proposed Implementation Date:	March, 2012
Proponent:	Petroleum County Commissioners and Stahly Engineering & Associates
Location:	Section 36, Township 17N, Range 29E, Lots 3-10; W2W2, E2SW4, SW4SE4
County:	Petroleum County
Trust:	Common Schools

I. TYPE AND PURPOSE OF ACTION

The proponent is requesting a Land Use License (LUL) to repair and rebuild the Lower River Road along the Musselshell River. The flooding in 2011 damaged sections of the road on the State tract and adjacent deeded land.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

The Montana Department of Resources and Conservation/ Trust Lands Management Division (DNRC/TLMD) – Northeastern Land Office (NELO), Petroleum County Commissioners,(Chris King), Stahly Engineering and Associates, Tim Browning –lessee for Lease# 8994, Petroleum County Natural Resources and Conservation Service (NRCS) and the Federal Emergency Management Agency (FEMA) are all involved in the proposed project.

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

No other governmental agencies have jurisdiction over this proposal.

3. ALTERNATIVES CONSIDERED:

Alternative A (No Action) – Under this alternative, the DNRC does not issue a Land Use License to repair and rebuild the Lower River Road along the Musselshell River.

Alternative B (Proposed Action) – Under this alternative, the DNRC does issue a Land Use License to repair and rebuild the Lower River Road along the Musselshell River.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

There are no unusual geologic features in the proposed project area.

Reclamation and reseeding on disturbed areas is the responsibility of the proponent's contractor. Site specific seed mixtures and seeding rates will be provided by the Petroleum County NRCS and will be attached to the LUL as a special stipulation.

No cumulative effects to the soils are anticipated.

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

The Musselshell River is near the proposed project area. The proposed project area is not in or near the river. No impacts to the Musselshell River are anticipated.

No groundwater resources are expected to be impacted.

No cumulative effects to the water resources are anticipated.

6. AIR QUALITY:

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

Truck traffic and dirt work may generate some airborne dust. These activities will minimally affect air quality for a very limited amount of time.

No cumulative effects to air quality are anticipated.

7. VEGETATION COVER, QUANTITY AND QUALITY:

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

Plant communities in proposed road and right of way will be destroyed. The proponent and the proponent's contractor will be responsible for reclaiming and reseeding the disturbed areas. Site specific seed mixtures and seeding rates will be provided by the Petroleum County NRCS.

The proponent and the proponent's contractor will be responsible for weed control and coordinate weed control measures with the lessee.

No rare plants or cover types are present.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

A search of the Natural Heritage Program identified 3 Species of Concern: Spiny Softshell Turtle (*Apalone spinifera*), Blue Sucker (*Cycleptus elongates*), and Sauger (*Sander canadensis*) that may occur in the area of the proposed project. These species occur in and near the Musselshell River and are not expected to occur in the proposed project area.

No cumulative effects to fish and wildlife are anticipated.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

The proposed project area is on an existing roadway and is minimal in size.

No cumulative effects to habitat are anticipated.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

Identify and determine effects to historical, archaeological or paleontological resources.

A field survey was conducted on February 27, 2012. No historical, archeological, or paleontological resources were identified.

There are no known historical, archeological, or paleontological resources on the proposed project site.

11. AESTHETICS:

Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

The state land does not provide any unique scenic qualities not also provided on adjacent private and public lands.

The proposed project area is in a remote part of Petroleum County. There may be some noise associated with the proposed activity. The activity is expected to have minimal negative effects to aesthetics.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

No demands on limited resources are required for this project.

No direct or cumulative effects to environmental resources are anticipated.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

There are no other projects or plans being considered on the tracts listed on this EA.

IV. IMPACTS ON THE HUMAN POPULATION

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

There are some human safety risks associated with the operation of heavy equipment. The proponent and their employees accept these risks.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

Identify how the project would add to or alter these activities.

The proposed project will repair the severe flood damage to the Lower River Road making it a safe and useable travel route. The proposed project will not add or alter industrial, commercial, or agriculture activities or production.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

The proposed activity will create a limited number of jobs. These positions are already held by employees of the proponent. No new jobs will be created.

No cumulative effects to the employment market are anticipated.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

There are no direct or cumulative effects to taxes or revenue for the proposed project.

18. DEMAND FOR GOVERNMENT SERVICES:

Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

There will be no increases in traffic, no changes in traffic patterns, and no need for additional fire protection, or police services.

There will be no direct or cumulative effects on government services.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

There are no zoning or other agency management plans affecting these lands.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

No impacts to the recreational value are anticipated.

There will be no direct or cumulative effects on recreation or wilderness activities.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:

Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing

The proposal does not include any changes to housing or developments.

No direct or cumulative effects to population or housing are anticipated.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposal.

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

The proposed project will have no effect on any unique quality of the area.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

The Land Use License returns a onetime payment of \$150 to the trust, and the opportunity to issue an easement to the Petroleum County Commissioners.

EA Checklist Prepared By:	Name: Bill Creamer
	Title: Land Use Specialist
Signature: /s/ Bill Creamer	
Date: 3/7/12	

V. FINDING

25. ALTERNATIVE SELECTED:

I have selected the Proposed Alternative B, and recommend that the DNRC does issue a Land Use License to repair and rebuild the Lower River Road along the Musselshell River.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

I have evaluated the potential environment effects and have determined that no negative long-term environmental impacts will result from the proposed activity.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

☐ EIS ☐ More Detailed EA ☒ No Further Analysis

EA Checklist Approved By:	Name: Clive Rooney
	Title: Area Manager, Northeastern Land Office
Signature: /s/ Clive Rooney	
Date: 3/7/12	

